



3624

Docket No. Krause-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

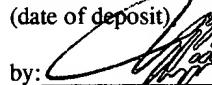
Applicant: KRAUSE, Robert P.)
Serial No.: 09/505,947)
Filed: February 15, 2000)
For: FINANCIAL INSTRUMENTS, SYSTEM AND)
EXCHANGES (FINANCIAL, STOCK, OPTION)
AND COMMODITY) BASED UPON)
VOLATILITY)

Box Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Examiner: Karmanis, Stephano
Art Unit : 3624

CERTIFICATE OF MAILING

Pursuant to 37 C.F.R. §1.8(a), I hereby certify
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by: 
Mitchell A. Stein
Reg. No. 30,978
(Registered Representative)

RESPONSE TO OFFICE ACTION

SIR :

Applicant respectfully submits a response to the Office Action signed by the Examiner on December 7, 2006, with traverse and request for reconsideration, as indicated.

REMARKS

Claims 15, 17 and 19 remain in this case. In the Office Action, the Examiner has allowed claim 17, and asserted rejections over claims 17 and 19 under 35 U.S.C. §112. Respectfully, it would appear that the Examiner is mistaken on his reading of the claims.

In particular, the Examiner asserts that claim 15 has a preamble that recites a "method and system." Yet, according to the undersigned's records, the preamble actually recites "[a]n exchange for the trading of contracts based upon the volatility of an underlying, comprising performance of the following steps:" which then includes both the creation and determination of the contract. Thus, it would appear that the claim is already method-specific and hence no